

AMENDED

ASSIGNED 244 17
Serial No.

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAR 22 1968
Returned to applicant for correction APR 3 1968
Corrected application filed MAY 17 1968 Map filed Nov. 1, 1967, under 18916 (PBU)

The applicant James Bert Benton Estate
of Rt. 1, Perryton, County of Ochiltree
State of Texas, hereby makes application for permission to change the
point of diversion
of water heretofore appropriated under Permit No. 18916

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Underground
(Name of stream, lake or other source.)
2. The amount of water to be changed 1.09 cubic feet per second
(Second feet, acre feet.)
3. The water to be used for irrigation
(If for stock state number and kind of animals.)
4. The water heretofore used for irrigation
(If for stock state number and kind of animals.)
5. The water is to be diverted at the following point SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, T.26N., R.43E., M.D.B.&M.,
or at a point from which the NW cor. Section 6, T.25N., R.43E., bears
(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
S. 86° 39' W., a distance of 1620.7 feet.
6. The existing point of diversion is located within SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T.26N., R.43E.,
M.D.B.&M., or at a point from which the SE corner of said Sec. 31
(If point of diversion is not changed, do not answer.)
bears S. 45° 00' E., a distance of 141.42 feet.
7. Proposed place of use SE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$ (156.3 acres) Sec. 31, T.26N.,
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
R.43E., M.D.B.&M.,
8. Existing place of use Same as in Item 7.
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
9. Use will be from March 1st to November 15th of each year.
(Month) (Month)
10. Use has been from March 1st to November 15th of each year.
(Month) (Month)

11. Description of proposed works.

Irrigation well equipped with pump and engine.

(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)

(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works.....\$7500.00

13. Estimated time required to construct works Well is completed

14. Remarks This application is to correct the location of the well

under Permit No. 18916. The undersigned has been authorized by the Administratrix of the James Bert Benton Estate to act as agent for the Estate.

Compared. jw/dc dc/jw

Applicant James Bert Benton Estate

By s/ David Burger

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the

following limitations and conditions: This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 18916 is issued subject to the terms and conditions imposed in said Permit 18916 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times. The place of use under this permit is limited to the SE $\frac{1}{4}$ NE $\frac{1}{4}$ (4.1 ac.), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (36.1 ac.), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (36.1 ac.), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40.0 ac.), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (40.0 ac.) Section 31, T26N., R43E., MDB&M., for a total of 156.3 acres.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.09 cubic feet per second but not to exceed a

seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before November 26, 1968

Proof of commencement of work shall be filed before December 26, 1968

Work must be prosecuted with reasonable diligence and be completed on or before November 26, 1968

Proof of completion of work shall be filed before December 26, 1968

Application of water to beneficial use shall be made on or before November 26, 1968

Proof of the application of water to beneficial use shall be filed on or before December 26, 1968

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed DEC 9, 1968

Completion of work filed DEC 9, 1968

Proof of beneficial use filed DEC 9, 1968

Cultural map filed

Certificate No. 6927 Issued 1-27-69

Recorded 2-7-69 Bk. 33 Page 61

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 26th day of August

A.D. 1968

State Engineer

2407

Abrogated By 29194